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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
JOO, JOSHUA	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/935,253	FRIEL ET AL.	
	Examiner	Art Unit	
	Joshua Joo	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1-28 have been presented for examination.

Requirement for Information

2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

3. In response to this requirement, please provide the title, citation, and copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication's contribution to the description of the prior art.

4. This requirement is an attachment of enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 10, 12-13, 22-23, 25, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Brien, JR, US Application #2003/0031165 A1.

7. As per claim 1, O'Brien teaches an invention for a VOIP network where the gatekeeper and server provide routing from an inbound gateway and to an outbound gateway based on the H.323 standard. O'Brien's invention comprises of:

a) Sending a request from an originating gateway connected to the originating terminal to the gatekeeper, said request comprising the identifier of the destination terminal; (Paragraph 23, Information regarding user is send to the inbound gatekeeper. The telephone number the user calls routes the call).

b) Receiving a reply at the originating gateway from the gatekeeper said reply comprising information about at least one and possibly more of the gateways which can be contacted to reach the destination terminal. (Paragraph 25, Once the H.323 server and the outbound gatekeeper establish signaling, the server through gatekeeper provides inbound gateway with one of a collection of outbound gateways.)

8. As per claim 10, O'Brien teaches the method as claimed in claim 1 wherein the identifiers are of a type selected from telephone numbers, universal resource identifiers (URLs), email addresses or any other suitable type of H.323 standard alias (Paragraph 22).

9. As per claim 12, a method as claimed in claim 1 wherein the request is an H.323 admission request. (Paragraph 4-5, Network is H.323 protocol. Paragraph 23, gateway sends user information to gatekeeper)

10. As per claim 13, a method as claimed in claim 1 wherein the reply is an H.323 admission confirm message. (Paragraph 4-5, Network is H.323 protocol. Paragraph 25, Gatekeeper responds to gateway with routing information.)

11. As per claim 22, O'Brien teaches an invention for VOIP network where the gatekeeper and server provide routing from an inbound gateway and to an outbound gateway based on the H.323 standard. O'Brien's invention comprises of:

a) A processor arranged to issue a request to the gatekeeper, said request comprising an identifier of a destination terminal, (Paragraph 23, Gateway sends information regarding user to the inbound gatekeeper. The telephone number the user calls routes the call).

b) An input arranged to receive a reply from the gatekeeper, said reply comprising information about at least one and possibly more of the second gateways, which can be contacted to reach the destination terminal. (Paragraph 25, Once H.323 server and outbound gatekeeper establish signaling, server provides inbound gateway with one of a collection of outbound gateways.)

12. As per claim 23, O'Brien teaches an invention where the inbound gateway provides information to the gatekeeper (Paragraph 23) and the gatekeeper responds to the called inbound gateway (Paragraph 25). (It is inherent that the gateway has a label such as a MAC address for the gatekeeper to be able to respond to the gateway.)

13. As per claim 25, O'Brien teaches an invention where a communications network comprises of a gateway as claimed in claim 22 (Paragraph 23).

14. As per claim 28, O'Brien teaches an invention for a VOIP network where the gatekeeper and server provide routing from an inbound gateway and to an outbound gateway based on the H.323 standard. O'Brien's invention comprises of:

a) A request is sent from the gateway to the gatekeeper, said request comprising the identifier of the destination terminal (Paragraph 23, Telephone number that the user dials directs the user to an inbound gateway. Gateway collects information about user and sends it to the gatekeeper and server);

b) A reply is received at the gateway from the gatekeeper said reply comprising information about one and possibly more of the second gateways which can be contacted to reach the destination (Paragraph 25, Server instructs the gateway with one of a collection of outbound gateways).

Claim Rejections - 35 USC § 103

15. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and in view of Dorenbosch, US Patent #5,959,546.

16. As per claim 2, O'Brien does not teach a method in claim 1 wherein said communications network comprises a first zone and a second zone each comprising a plurality of terminals connected to a plurality of gateways and wherein a plurality of terminal identifiers of the first zone are also used for terminals of the second zone.

17. Dorenbosch teaches an invention for receivers having the same address where two pagers in two separate areas have the same address (Fig.4, Col 2, lines 25-32).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Brien's invention with Dorenbosch's invention for terminals to have a common address because it will improve the capability of O'Brien's invention by providing simultaneous transfer of media information to multiple locations of the same identification.

19. As per claim 8, O'Brien does not teach a method as claimed in claim 2 wherein if the destination terminal identifier occurs in both zones, the reply received specifies that a gateway in the originating zone should be contacted.

20. Dorenbosch teaches that when the receiver is within two regions, the home input terminal is notified (Col 4, lines 3-6).

21. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Brien's invention with Dorenbosch's invention to send a respond if a terminal occurs in both zones because it improves the reliability of O'Brien's invention by sending the information to the correct destination and to maintain the location of each terminal.

22. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and Dorenbosch and in view of Haga, US Patent #6,366,576.

23. As per claim 3, O'Brien does not teach a method as claimed in 1 wherein said reply comprises information about only one gateway, which is in the same zone as the originating terminal.

24. Haga teaches an invention for routing calls from a terminal though gateways, where the gatekeeper will locate a gateway that is within the intranet of the caller (Col 4, lines 9-11.)

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien and Haga to have gateway within the same zone as the originating terminal because it would improve O'Brien's invention by providing a more efficient method of routing and it would reduce the cost of communication for the users.

26. Claims 4-6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and in view of Haga, US Patent #6,366,576.

27. As per claims 4 and 5, O'Brien does not teach a method wherein a unique label is assigned to each gateway and the gatekeeper has information regarding the unique label of each gateway.

28. Haga teaches an invention where a gateway registers with the gatekeeper and the gatekeeper maintains a list of the all the gateways along with an entry that describes the address (Col 3, line 45 to Col 4, line 4).

29. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien and Haga for the gateway to have a unique label and for the gatekeeper to maintain a list of the gateways because it would improve the routing efficiency of O'Brien's invention by being able to communicate with the gateways in the network and selecting the gateway for optimal routing.

30. As per claim 6, O'Brien teaches the method as in claim 4 wherein said request further comprises the unique label of the originating network (Paragraph 23 and 25. It is inherent that the gateway sends an identifier in order for the gatekeeper to be able to respond back to the gateway such as MAC address).

31. As per claim 11, O'Brien teaches the network in his invention is of the H.323 standard. However O'Brien does not specifically teach the method that the unique labels comprise any suitable type of H.323 standard alias.

32. Haga teaches the invention where the gatekeeper maintains a list of the gateways in the network (Col 4, lines 1-3), where the gateways register with the gatekeeper according to H.323 standard (Col 3, lines 45-47).

33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teachings of O'Brien and Haga by having labels of H.323 standard because it improves the capability of O'Brien's invention by allowing it to interoperate with other multiple vendors by compressing and decompressing media streams.

34. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and Haga and in view of Sorrentino, US Application #2002/0064151.

35. As per claim 7, O'Brien does not teach a method as claimed in claim 5 wherein said reply comprises information provided by the gatekeeper on the basis of the unique label of the originating gateway as well as the destination terminal identifier.

36. Sorrentino teaches an invention for generating a routing table for routing traffic based on the incoming PSTN call (Paragraph 53) and the originating gateway (Paragraph 48).

37. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien, Haga, and Sorrentino to base the routing on the destination terminal and of the originating gateway because it will improve the efficiency of O'Brien's by providing routing that would reduce network traffic and cost since it considers the originating and terminating locations.

38. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and Dorenbosch in view of Tomoike, US Patent #5,940,512.

39. As per claim 9, O'Brien does not teach a method as claimed in claim 2 wherein the first zone is associated with a first enterprise and a second zone is associated with a second enterprise.

40. Tomoike mentions in the "Background of the Invention" that a plurality of service providers offer services to different regions or areas (Col 1, line 12-14).

41. It would have been obvious to one of ordinary skill in the art at the time the invention was made for O'Brien's invention to have different services associated with different zones because it improves the capability of O'Brien's invention by being able to provide different service in regions where one service may lower in quality as to another and where one service might provide a cheaper cost.

42. Claim 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and in view of Mussman et al, US Publication #2002/0159440 A1.

43. As per claim 14, O'Brien does not teach the method as claimed in claim 1 wherein each gateway is unaware of which terminals are connected to other gateways in the communications network.

44. Mussman teaches an invention for call screening based on the H.323 standard where the gatekeeper manages endpoints and provides zone managements for terminals and gateways (Paragraph 25). Gateways may not know where the terminals are located, and requests the gatekeeper for routing (Paragraph 37).

55. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions of O'Brien and Mussman for the gateway to be unaware of which terminals are connected to other gateways. By having the gatekeeper maintain and manage the terminals in the zone, it increases the efficiency of O'Brien's invention because the gatekeeper can provide the best routing by considering factors such as location, cost, and traffic.

56. Claims 15-16, 18-19, 24, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and in view of Ng et al, US Patent #6,791,970 (Ng hereinafter).

57. As per claim 15, O'Brien does not teach a method as claimed in claim 1 wherein said gatekeeper further comprises information about which terminals are accessible from each gateway together with cost information associated with accessing those terminals from each gateway.

58. Ng teaches an invention for determining the lowest cost gateway provider, where the gatekeeper has a gateway provider database that maintains a list of gateways and their destination telephones, which includes the rates of the gateways (Col 3, lines 10-22).

59. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien and Ng for O'Brien's invention to maintain a list of the cost information with accessing the terminals through each gateway because it improves the capability of O'Brien's invention by allowing the gatekeeper to determine the most cost effective method routing.

60. As per claim 16, O'Brien does not teach a method as claimed in claim 15 wherein said reply comprises information about each gateway that can be used to access the destination terminal together with associated cost information.

61. Ng teaches an invention for determining the lowest cost gateway provider, where the gatekeeper replies with selected gateway providers with the associated costs (Col 3, lines 10-12 and Col 4, lines 9-13).

62. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O"Brien and Ng for the O'Brien's invention to provide the associated cost of accessing the gateway because it would improve the functionality of O'Brien's invention by providing the user the flexibility and option to select the gateway that meets the user's financial standards.

63. As per claim 18, O'Brien teaches for a VOIP network, which comprises of:

a) An input arranged to receive a request from a gateway in the communications network, said request comprising an identifier of a destination terminal, (Paragraph 23, Information regarding user is send to the inbound gatekeeper. The telephone number the user calls routes the call.)

b) An output arranged to send a reply to the requesting gateway, said reply comprising information about at least one and possibly more gateways which can be contacted to reach the destination terminal. (Paragraph 25, Once the H.323 server and outbound establish signaling, the server provides the inbound gateway with one of a collection of outbound gateways.)

64. O'Brien does not teach of a memory arranged to store information about each gateway in the communications network said information comprising the identifier of each terminal connected to each gateway.

65. Ng teaches an invention for determining the lowest cost gateway provider, where the gatekeeper has a gateway provider database where the database keeps track of gateways and their telephones (Col 3, lines 10-20).

66. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien and Ng for O'Brien's invention to store information about each gateway because it would improve the capability of O'Brien's invention by allowing the gatekeeper to properly manage all the gateways and terminals within its zone.

67. As per claim 19, O'Brien does not teach a gatekeeper as claimed in claim 18 wherein said memory is further arranged to store cost information relating to the cost of accessing each available terminal from each gateway.

68. Ng teaches an invention for determining the lowest cost gateway provider, where the gatekeeper has a gateway provider database where the database keeps track of gateways and their destination telephones, which includes the rates of the gateways (Col 3, lines 10-22).

69. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien and Ng for O'Brien's invention to maintain a list of the cost information with accessing the terminals through each gateway because it improves the capability of O'Brien's invention by allowing the gatekeeper to determine the most cost effective method of routing.

70. As per claim 26, O'Brien teaches a communications network comprising a gatekeeper as claimed in claim 18 (Paragraph 23).

71. As per claim 24, O'Brien does not teach of a gateway as claimed in 22 wherein said reply comprises cost information.

72. Ng teaches an invention for determining the lowest cost gateway provider, where the gatekeeper replies with selected gateway providers with the associated costs (Col 3, lines 10-12 and Col 4, lines 9-13).

73. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O"Brien and Ng for the O'Brien's invention to provide the

associated cost of accessing the gateway because it would improve the functionality of O'Brien's invention by providing the user the flexibility and option to select the gateway that meets the user's financial standards.

74. As per claim 27, O'Brien teaches an invention for a VOIP network where the gatekeeper and server provide routing from an inbound gateway and to an outbound gateway based on the H.323 standard. O'Brien's invention comprises of:

a) A reply is sent to the requesting gateway, said reply comprising information about at least one and possibly more gateways which can be contacted to reach the destination terminal (Paragraph 25, Server instructs the gateway with one of a collection of outbound gateways).

b) Requests are received from gateways in the communications network, said requests comprising an identifier of a destination terminal (Paragraph 23, Telephone number that the user dials directs the user to an inbound gateway);

75. O'Brien does not teach that information is stored about each gateway in the communications network said information comprising the identifier of each terminal connected to each gateway

76. Ng teaches an invention where the gateway provider database keeps tracks of gateways and the destination telephones (Col 3, lines 17-20), and the user registers with the gatekeepers (Col 3, line 40).

77. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions of O'Brien and Ng for the gatekeeper to keep track of the

gateways and terminals in the network because it would improve the security of the network by preventing unauthorized access of terminals and it would also make the network more efficient by being able to locate all the devices in the zone to route calls.

78. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and Ng and in view of Thompson III et al, US Publication #2002/0154751 A1 (Thompson III hereinafter).

79. As per claim 17, O'Brien does not teach a method as claim 16 wherein said reply comprises a list of said gateways in order of the associated costs.

80. Thompson III teaches an invention for wireless account management system, where the cost of each plan is listed and ranked according to cost (Paragraph 67).

81. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Brien's invention with Thompson III's invention to put the list in the order of the costs because it would improve the user-friendliness of O'Brien's invention because providing the list in an order would make it easier for the user to compare the costs of routing through each gateway.

82. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien and Ng and in view of Haga, US Patent #6,366,571.

83. As per claim 20, O'Brien does not teach of a gatekeeper as claimed in claim 18 wherein a unique label is assigned to each gateway and wherein said memory is arranged to store the unique label of each gateway.

84. Haga teaches an invention where a gateway registers with the gatekeeper and the gatekeeper maintains a list of the all the gateways along with an entry that describes the address to connect to as default (Col 3, line 45 to Col 4, line 4). Gatekeeper has memory to store information locally (Col 3, lines 61-62).

85. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of O'Brien and Haga for the gateway to have a unique label and for the gatekeeper to maintain a list of the gateways because it would improve the routing efficiency of O'Brien's invention by being able to communicate with the gateways in the network and determining the gateway for optimal routing.

86. As per claim 21, O'Brien teaches of a gatekeeper as claimed in claim 20 wherein said request further comprises the unique label of the originating gateway connected to the originating terminal. (Paragraph 23 and 25. It is inherent the gateway has a unique label such as MAC address because since after the user is directed to an inbound gateway and inbound gateway provides contacts the gatekeeper, the gatekeeper responds to the called inbound gateway).

Conclusion

87. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

88. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966 and fax number is 571 273-3966. The examiner can normally be reached on Monday to Thursday 8 to 5:30.

89. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571 272-3964.

90. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JJ

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